

REPORT

OF

COMMITTEE

OF THE

House of Correction and Employment,

ON

PLAN OF ORGANIZATION

AND

PERMANENT OPERATION.

ALSO,

COPY OF ACT OF ASSEMBLY,

PASSED 28th APRIL, 1854.

Philadelphia.

LAUGHLIN BROTHERS' BOOK AND JOB PRINTING ESTABLISHMENT, BULLETIN BUILDING.

1854.



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OFFICERS.

PRESIDENT,

ELHANAN W. KEYSER.

SECRETARY,

ERASTUS POULSON.

BOARD OF MANAGERS,

(One Year.)

THOMAS WATSON.
GODFREY METZCHER.
JOSHUA S. FLETCHER.

(Two Years.)

ALEXANDER CUMMINGS.
PETER C. ELLMAKER.
HENRY J. WILLIAMS.

(Three Years.)

NATHANIEL B. BROWNE.
THOMAS M. COLEMAN.
JOHN L. GODDARD.

(Four Years.)

WILLIAM WELSH.
ERASTUS POULSON.
ELHANAN W. KEYSER.

R E P O R T .

THE Committee to whom was referred the subject of a plan of organization and permanent operation, submit the following Report :

An Act of the Legislature, approved on the 28th day of April, 1854, provides for the establishment in the City of Philadelphia, of a House of Correction and Employment, to be under the charge and management of a Board of twelve managers; who are authorized, for that purpose, either to select a site for the buildings a portion of the farm land now occupied by the Blockley Almshouse, or to purchase any other site. And they, by and with the consent of the City Councils, may deem most appropriate, and to erect and complete thereon the necessary buildings; under a restriction, however, that the cost of the site and buildings shall not exceed one hundred thousand dollars.

It further directs that, thereafter, the Judges of the Court of Quarter Sessions, the Managers of the Blockley Almshouse, and the Inspectors of the Philadelphia County Prison, respectively, shall commit to the House of Correction and Employment such able-bodied paupers, vagrants, habitual drunkards, and disorderly persons, whom they may deem best so to confine, and that within twenty-four hours after entrance into the Blockley Almshouse, all able bodied paupers shall be transferred, except such as it may be necessary to employ in the service of said Almshouse. Similar powers of commitment are given to the Mayor, Recorder, and Aldermen of the City of Philadelphia; and they, as well as the managers of the House of Correction are authorized further, to commit all

or any persons, who being liable under existing laws to confinement, may apply voluntarily for such purpose. The periods of confinement vary as follows, viz: for the first time for a term of not less than three months nor more than six months; for the second time, not less than six nor more than nine months; for the third time, of not less than nine nor more than twelve months; and for the fourth time, if more nor less than twelve months.

And every person so in the custody of the said Board Managers, not disqualified by sickness or casualty, is to be employed in quarrying stone, cultivating the ground, manufacturing such articles as may be needed for the prisons, Alms house or other public institutions of the State or City, and such other labor as shall upon trial, be found to be profitable to the institution, and suitable to its proper discipline and the health and capacities of the inmates.

The Act also provides, that an expense and labor account shall be kept with every person committed to the House; and if it shall appear, upon the expiration of the term of confinement of any person, that the proceeds of his or her labor are more than sufficient to defray the cost of board and maintenance, with five per cent. thereon, then the balance shall be paid to him or her, in money, or for the use and maintenance of his or her family. The only mode of discharge prior to the expiration of the term of commitment, is by Habeas Corpus.

From this brief outline, it is evident that the Legislature intended an institution of no ordinary importance; and your Committee, in submitting a plan for its organization and future management, have endeavored to give full effect to those provisions of the law, which, whilst they extend a liberal and benevolent policy to the unfortunate classes in question, do not overlook the just rights of the tax-paying community.

Hoping to avail themselves of the experience of others in similar institutions, some of the Committee have visited

New York, Boston, and other cities; but they regret that they have not met with any, which seemed to combine to a sufficient degree, the features of labor, discipline, reform, and self-support; or could in any proper sense be regarded as models; in fact but little has been attempted as yet. Vagrancy and pauperism already constitute one of the chief causes of taxation in our large cities; but whilst much has been done in a spirit of benevolence to relieve their necessities, sufficient has not been done to impart to these classes habits of industry and self-support.

The House of Correction at Boston, is merely a County Prison, and, as regards its inmates, their treatment, and the uses and terms of imprisonment, correspond with our Moyamensing Prison. The House of Industry and Reformation at the same place, are intended only for pauper children, generally from the Almshouse; in all of them considerable income is derived from the labor of the inmates.

At New York, on Blackwell's Island, they have nearly completed a new building, which is intended as a Workhouse, to be occupied by the same classes as are referred to in our Act of Assembly; when finished it will accommodate about twelve hundred paupers and vagrants; and in his last Report, the Superintendent expresses confidence that as soon as the shops and other preparations can be completed, and the kinds of labor selected and adapted to the various capacities of the inmates, much can be done to make it a self-supporting institution. At present, however, the yield from their labor does not exceed fifteen cents per day; and the short commitments, followed by constantly recurring discharges and re-commitments, not only tend to diminish the value of their labor, but almost entirely defeat all measures of reform.

From the fact, that by our law, the average term of confinement will be over six months, it is very certain that we shall be able not only to organize a more systematic, and,

therefore, more productive cause of industry; but, also, to accomplish much more by our measures of instruction and reform.

The new building of the New York Workhouse is, architecturally, one of the finest of its class, and is admirably adapted to *their* system; but in its arrangements, will not permit that completeness of classification among the inmates which *our* law seems to indicate, and which must prove to be a distinguishing excellency in *our* plan.

In the course of our investigation we visited many of the Prisons, Penitentiaries, Almshouses, and other similar public institutions of the county, and we trust we may be excused in the expression of some little pride, in the discovery of the general superiority of the Public Institutions of our own City and, that nowhere, do the inmates appear to be better provided, clothed, lodged and disciplined.

The subjects who are liable to be committed to the Philadelphia House of Correction and Employment may be designated as:—

- 1st. Vagrants.
- 2d. Able-bodied Paupers.
- 3d. Habitual Drunkards.
- 4th. Disorderly Persons.

It appears by reference to the registers of our County Prison, that there are about one thousand vagrants and habitual drunkards familiar to them, who divide their time between the prison cells and the haunts of vice and degraded idleness; and who, under the present system of short commitments, furnish an average number throughout the year of two hundred inmates. These classes are to be transferred to us and it is fair to calculate, that with the terms of commitment extended to three, six, nine and twelve months, the average number of inmates in the House of Correction, *from this source* will not fall short of three hundred and fifty.

On inquiry at the Almshouse, we learn that we shall receive from that quarter, excepting those who may be required in their own service, about three hundred inmates. It is a moderate estimate, to put at one hundred and fifty, those who may come from other sources—such as disorderly persons and habitual drunkards, committed by magistrates.

This will afford an average of about eight hundred persons, who, by the terms of the Act, will be subjects of correction and employment.

Careful inquiry has been made at the institutions which are to yield the greater part of this number, and estimates have been obtained from committing magistrates and others. Their official experience enables them to form reliable opinions on the subject. It is not necessary to state here, the particular result of these inquiries; we are confident that the number assumed, will not exceed the number we shall be obliged to provide for.

It is obvious, that upon the *proper classification* of these inmates, must, to a great degree, depend the success of our institution, not only in their profitable employment, but in every effort at instruction and reform.

We shall have the idle and dissolute of both sexes and colors to deal with; the improvident as well as the profligate and vicious poor; and unless we can accomplish a far more thorough and complete separation into classes, than has been the case heretofore, we do not perceive that the House of Correction will secure any peculiar advantages over the Almshouse or Vagrant department of the Prison. The more general division of the inmates must, of course, be into the *male* and *female* departments; and these again into the *vagrant* and *pauper* departments; and some regard must be given to *difference in color*. At the very outset, therefore, we have *eight general classes* to provide for; each of which is to be subdivided with reference to the capacity of the inmates for employment, and for moral improvement or reformation.

By reference to reports of the Guardians of the Poor in this county, it appears that the excess of male over female paupers is only about *seven* per cent.; while, by the report of the Inspectors of our County Prison, the excess of male over female vagrants is about *twenty-five* per cent.

From the same sources of information we think we may assume that the vagrant department (including in it habituated drunkards and disorderly persons) will contain about *sixty per cent. more* than that for able bodied paupers. By those who may be surprised at this disparity of numbers, it must be borne in mind, that of the vast number of poor supported in the Blockley Almshouse, about three-fourths are consigned to it by old age, physical infirmity, blindness, disease, and insanity; and are, of course, incapacitated for work.

In the County Prison the vagrant and disorderly females outnumber the same class of males about *thirty per cent.* and in the Almshouse, among the able bodied paupers, males outnumber the females about *sixty-five* per cent.

It may be safely estimated that of the whole number of inmates, about *one-fifth* will be in the colored department.

The propriety of giving a character to the pauper department entirely distinct from that of the vagrant, will not be denied. The really *unfortunate* poor have a right to protection and assistance from the public; the *vagrant* poor are generally vicious, and self-destroyed, and have forfeited to a great extent their social privileges. By common consent, therefore, the latter are regarded as offenders to a certain degree. In some, especially the *rural* portions of our county, the people are sensitive about the treatment of their unfortunate poor and have resisted their being sent to the County Almshouse. Some of our townships have, therefore, supported their own separate establishments for the poor; and, so decided was the feeling on this subject in the northern part of the county, that the Legislature made a concession to it in the Consolidation

Pal, by excepting them from its operations, so far as *their* poor house was concerned.

It is therefore recommended, as both just and proper, that all the arrangements and rules of the institution, such discriminations shall be made as shall maintain *the two classes* *entirely distinct*, not only in their *treatment*, but as far as possible, *to the public eye*. Otherwise we shall disgrace and degrade our poor, and thus inflict a greater injury upon them, and society at large, than if they were maintained in idleness in the ordinary Almshouse.

The necessity of a further classification of our inmates, with reference to their respective degrees of demoralization, is too evident to require much remark. Its nature and extent have been already indicated, and will be more fully treated hereafter as one of the most essential in the means of reform. It is only adverted to here as a classification which must pervade all the departments, and with a view to show into how many separate communities we shall be obliged to sub-divide our inmates.

Having thus considered the *character, classes, and probable number* of our inmates, and the *provisions of the law* for their support and treatment, we pass to the most prominent feature of our institution, the one in which it is expected to differ from ordinary pauper or vagrant establishments. We allude to the design to make it *self-supporting*.

How far the expectations of the Legislature and the public, in this particular, are likely to be realized is very important to be ascertained; and in that view, we have prepared estimates of the *expense of maintaining* paupers and vagrants, and the *probable value of their labor*.

1st.—Maintenance.

We have made careful reference to the reports of a great number of similar institutions throughout the country, but do not find any more detailed or satisfactory, than the statements

which accompany the annual reports of those of our city. the latter, the various items of expense, under the heads board, clothing, medical treatment, fuel, salaries, repairs, & are better arranged and exhibited, and are, therefore, more reliable.

The following statements have been prepared from the reports of Blockley Almshouse and Moyamensing Prison, for the last ten years, and probably give results as near the truth as can be obtained.

Statement of the average weekly cost of maintaining the paupers of Blockley Almshouse.

1844, average weekly cost, \$	95c.	Repairs to Estate, \$3,000
1845, " "	1 09	" " 5,000
1846, " "	1 24	" " 14,000
1847, " "	1 13	" " 8,000
1848, " "	1 14	" " 11,000
1850, " "	1 20	" " 13,000
1851, " "	1 20	" " 17,000
1853, " "	1 35	" " 2,800

Average for the whole period, 1 16½

Much of the variation in cost of maintenance from year to year is attributable to the variation in the item of repairs to the estate; these are carried out in the above table with the view of exhibiting this fact; of course, they properly constitute part of the expense, but an average of them will not much affect the average of the cost of maintenance for the whole period as above stated. The great increase for 1853, however, can only be explained by the extraordinary advance in the cost of labor and provision, which must have seriously enhanced the cost of almost everything used or consumed in the Almshouse.

The above result, for the general average of weekly cost, does not much differ from same average in the Almshouse of Massachusetts, where it is \$1 08½c.

*Statement of the average weekly cost of maintaining Inmates of
Moyamensing Prison.*

1847, average weekly cost, \$1 78c. ; excluding salaries and fuel, 93c.				
1848, " " 1 75	"	"	"	91
1850, " " 1 68	"	"	"	93
1851, " " 1 44	"	"	"	80½
1853, " " 1 59	"	"	"	87
Average for the whole period, 1 68				

The difference in these results, for Blockley Almshouse and Moyamensing Prison, is partly owing to the greater amount paid for *salaries* in the latter, which in one year was equal to 77 cents a year for each inmate; while in the former was only 18 cents. Of course the care of convicts involves larger salaries to officers, keepers, &c., than does the care of paupers. There is an additional reason for this difference in the fact, that more labor being performed by the inmates of the prison, they require more food than the paupers, from whom no or no labor is exacted. This, of itself, ought to be equivalent to a difference of *thirty per cent.* in the bill of fare.

Bearing in mind, therefore, that we have to support a population drawn from the Almshouse and the County Prison, from both of which these estimates have been derived, we do not think it would be safe to assume the average weekly cost of its maintenance at less than \$1.35 a head. This is somewhat less than the mere figures as above stated would warrant, but we make some allowances for the peculiarities of our institution, all of which we regard as favorable to its economical management.

2d.—Probable value of pauper and vagrant labor.

A tabular statement of a large number of pauper institutions, and embracing among others, all those of Massachusetts and New York, shows that the average amount of labor heretofore obtained is only equal \$3.90 per annum for each of their inmates. Of course, far better results has been obtained in

prisons and workhouses; but even with these latter, the have been but two or three instances of their being *self-supporting*, and that under the most favorable circumstances.

The Massachussetts State Prison and the Auburn Prison accomplished this for a few years, but for some time past have largely failed to meet their expenses.

The value of labor in prisons, workhouses, houses of correction &c., depends upon two considerations, viz: the *length of terms of commitment*, and the *capacity of the inmates for employment*.

In both respects the result must be against us, as our terms of commitment are comparatively short, and the grade of labor and mechanical skill low. Our penitentiaries unfortunately contain, among their inmates, many skillful mechanics; and in the case of those who are ignorant of an trade, their term of imprisonment is generally long enough to permit them to learn any of an ordinary nature. For this reason, in the Mass. State Prison, their labor has yielded them sometimes at the rate of 50 cents per head, a day; while in the work-house at Blackwell's Island, just started, and where the terms of commitment are about the same as in ours, the labor has been hired out at 12 to 15 cents a day.

In our County Prison, in 1850, the average earnings of each man in the weaving department were \$46 $\frac{89}{100}$ per annum; in the cordwaining department they were \$75 $\frac{16}{100}$. This among the workmen so respectively occupied, made an average of annual earnings, in both branches, of \$53.93. In 1851, the latter average was \$58.82.

In nearly all of these institutions they have resorted to the practice of hiring out their labor at a given rate per day; as experience has shown that the various mechanical and manufacturing departments cannot well be organized and conducted under the management, and for account of the institution. Private enterprize and management are generally

prior to those of public establishments; and it is found in the latter, that the greater waste of material, tools and machinery, and the difficulty of opposing checks to the opportunities of speculation, in large purchases, and sales connected with manufacturing, afford decided reasons in favor of the other practice.

Of course, such labor as can be used directly in and for the purposes of the institution, is excepted. The above remarks apply to the *surplus* labor. In all large cities there are contractors who find it profitable to employ *prison labor* in such simple manufacturing operations, as making buckles, portemonnaies, brushes, chains and whips; and all they require, in addition to the labor, are the workshops.

It is believed that the grade of labor and mechanic skill which we would be supplied with, would, under judicious management, yield to this institution 25 cents a day. From this, however, an allowance should be made of about 20 per cent. for time lost by sickness and other contingencies. This reduction is founded upon calculations made in a number of institutions, and is probably near the fact.

If the above views are correct, we may estimate the net average weekly value of each man's labor in the institution, at \$1 $\frac{20}{100}$, or 15 cents less than the cost of maintenance. Some of the inmates, by superior capacity or industry, may earn, by their work, more than the expense of their maintenance. In such cases, they, or their families, should be entitled to the surplus, according to the benevolent provisions of the Act. The Act of Assembly, and the public, seem to assume that the House of Correction and Employment can be made *self-supporting*. Candor obliges us to say, that careful investigation, and the experience of similar institutions, does not warrant such expectation. A few inmates may attain this result, but their numbers must be comparatively small. At the Workhouse on Blackwell's Island, the number of inmates averaged

two hundred and ninety-five throughout the year 1853; but a few were able to earn anything over the expense their support, for the total amount paid to them for overwork during the whole year, was only \$623⁷¹/₁₀₀.

Although, therefore, the expense of maintaining such institution will probably exceed the value of the labor of inmates, there is no doubt that much may be gained, upon *present system*, not only in diminishing its burden upon public treasury, but what is much more important, in the provement, physically and morally, of the unfortunate class in question.

This has, undoubtedly, been the chief object of those who for many years past have been urging upon the public authorities, and the Legislature, the establishment of a House of Correction. Members of the Prison Discipline Society, and Inspectors of the County Prison, have dwelt upon its importance in this aspect; and we owe the establishment of the House of Industry, so successful and beneficial in its results to a voluntary effort of a few private individuals in the same direction.

The *reform* of these unfortunate classes has engaged much attention, and so much has been *well* said and written on the subject, that it seems unnecessary to do more than indicate the instrumentalities for that purpose, which our institution should possess in an eminent degree.

They are, 1st, *Employment*.—Habits of industry which are lost, may be revived and strengthened; and when entirely wanting, may be imparted, to some extent. There are more efficient agents in the moral reformation of the vagrant and idle poor, than that self-respect and confidence which must in some degree attend every effort at self-support.

This will be stimulated by the inducements held out, by the law, to superior industry and skill, by the allowance of extra compensation.

Our institution should, therefore, meet the lowest capacity of labor, and through all the ascending grades of mechanical skill, develop and encourage it, by the assignment of suitable employment. Other institutions have lost much by turning into mere *labor* departments, what might become much more productive in the operations requiring skill. This will be evident by reference to their tables, showing the occupations and trades of their inmates.

The classification, therefore, in the workshop should be made as thorough as possible; and while it will yield valuable results, as to the mere product of their labor, it will aid and render effectual the classification as to character and moral merits, (2d) which we regard as the next, but equally important condition for the work of reform.

3d.—*Physical comfort*, as far as is consistent with the designs of the institution, is the next remedial means to be considered. Misery and want, as much as innate depravity, have to do with the increase of vagrancy and crime. Remove the former, and the way is prepared for those moral and religious influences which, after all, are necessary to seal and secure the work of reform.

Under this head we embrace the construction of the building, having regard to space, heating, ventilation, &c.; also, the diet, clothing, personal habits, and sanitary treatment of the inmates.

The various institutions of our country are teeming with valuable experience on all these points; and there is no doubt but our House of Correction may be constructed, and its management organized so as to embrace, to a degree greater than ever before attained, all these conditions.

Your Committee have obtained many valuable documents on these subjects; but their consideration in detail would exceed the limits and design of this Report. The Architect, Superintendent, Board of Managers, and others, will find in them much to assist in their future duties.

4th.—*Moral and Religious Instruction* is now an almost universal feature in similar institutions; and, we believe, express the unanimous sentiment of the Board, in assigning to it first importance in our plan.

The Chapel, School Room, and Library, under the care of suitable moral instructors, cannot fail in most cases to exercise a salutary influence, and in many, may produce that virtuous reform, which will operate not only in this world, but in another.

5th.—When these and other means of reformation fail, the last resort must be to *discipline*; in reference to which the authority conferred by the Act, is ample, and the direction explicit. At the same time, proper safeguards are provided against its abuse.

It must be evident from the above remarks, that a building of a very peculiar construction will be required; and in order to accommodate even a less number of inmates than is estimated, would much exceed in cost the amount named in the Act.

It is our duty to present this difficulty at the outset; and in doing so, we make a suggestion, which may, to a great extent, remove it.

The Act authorizes the selection of a part of the farmland now occupied by the Blockley Almshouse, or any other site in the County of Philadelphia, not exceeding fifty acres. By an examination of the Almshouse farm, it appears that the fifty acres which would be required, are worth about \$200,000; which, with the cost of building, as designated by the Legislature, would make a total of \$300,000. There is no doubt that fifty acres, equally available, and containing stone and other valuable building materials, could be obtained in other portions of the Consolidated City, for an aggregate cost of \$50,000, or even less; thus leaving a good margin over the cost of the building, without much exceeding the total cost, in the other situation.

The new House of Refuge, for white children, with accommodations for 500 inmates, and built in a plain, but substantial manner, have cost \$240,000.

Such a building as the Workhouse, on Blackwell's Island, N. Y., intended for 1,200 inmates, 4 in a cell, would cost in its neighborhood, not less than \$300,000.

It may be assumed, therefore, that our institution with its workshops, and constructed upon a plan to carry out the intention of the Legislature, could not be built for less than three times the sum authorized.

The special committee, who have the subject of plans and estimates in charge, will without doubt, furnish the Board with a full and reliable report upon the nature and cost of the buildings.

We only advert to the subject here, as showing the necessity we shall be under of applying to the next Legislature for an additional appropriation, if their design is to be carried out; and in order that the public and their representatives in the City Councils may be apprised in advance, of the heavy outlay that will be required.

The Act of Assembly will require amendment in other particulars; as, for instance, the power to reject and to discharge in some cases of commitment, should be confided to the Board. Without this, the institution might become overcrowded with classes of inmates not intended for its discipline. In some cases of individual, and still more during the prevalence of epidemical sickness, the right to discharge might be essential for the relief of the institution. If any check upon this power be deemed advisable, its exercise might be subjected to the approval of the Court of Quarter Sessions.

Your Committee would suggest the propriety of having a memorial, covering this and similar points, prepared and laid before the next Legislature.

In reference to the *management* of the institution, a few remarks are submitted. At the same time that the Act directs the appointment of a Superintendent, and other executive officers, it evidently devolves upon the Board of Managers the oversight of the establishment, and the chief responsibility for its faithful management. The success of the institution will mainly depend upon the proper discharge of these duties.

It is this *voluntary* feature, which in Philadelphia, has secured for her noble charities and many of her public institutions the assistance of a class of men, whose services have been of an entirely philanthropic character, and infused in their management a wisdom and fidelity nowhere excelled. Our Legislature has thought proper to retain this system; and the propriety of adhering to it strictly, although requiring much time and personal attention from the Board, will not be questioned.

The division of the Board into suitable committees, the particular duties, as well as the rules and regulations for the government of the Board and the institution, will form the subject of a distinct report; for although embraced in the terms of the resolution, under which this committee is appointed, it will be more convenient and proper to consider them hereafter by themselves.

In conclusion, your committee take it for granted that the Board will not deem it expedient to lease any premises for the purpose of temporary organization. The only building within the city that can be obtained, and possessing any of the requisites for such an institution is the old House of Refuge; and for reasons which will be fully stated in the report of the special committee having that matter in charge, the offer to the owners will undoubtedly be declined. Further, we feel confident from considerations already stated, that the Board will waive the right to select the fifty acres of the Blockley

Amshouse farm ; and we think it has been shown conclusively that the sum limited for the cost of the building is totally inadequate ; until, therefore, this latter restriction be removed, and a suitable site obtained, it is evident much progress cannot be made. In fact, even if it were not for these obstacles, it would not have been safe to break ground and commence the erection of a building of such magnitude so late in the season. But no time need be lost in procuring plans and estimates, for submission to the City Councils ; and, if after being possessed of all the facts, and able to count the real cost of the institution in question, it should be deemed advisable by them and the Legislature, still to authorize its establishment, the work can be pressed to as early a completion.

We trust that the views above developed, as to its extent, design and peculiar features, and the proper treatment and employment of its inmates, may be found to contain all the suggestions necessary to be made to this Board, and those who may be associated with it, in the organization and management of the House of Correction.

Respectfully submitted,

N. B. BROWNE, *Chairman.*

JOHN L. GODDARD.

HENRY J. WILLIAMS.

ERASTUS POULSON.

THOMAS M. COLEMAN.

THOMAS WATSON.

ACT OF ASSEMBLY

PROVIDING FOR

HOUSE OF CORRECTION.

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| <ol style="list-style-type: none">1. House of correction established in Philadelphia.2. Managers, how appointed. Organization. Classification. Vacancies, how filled. Corporate powers.3. Plans and estimates to be prepared.4. City to procure loan for erection of building. Tax to pay interest. Sinking fund.5. Building to be erected. Title. Who to be committed to House of Correction.6. Who may commit to House of Correction.7. Superintendent to be elected. His powers and duties. Officers.8. Employment of persons committed. | <ol style="list-style-type: none">9. Punishment of contumacy. Duties of physician.10. Punishment for injuring property, or forestalling.11. Accounts to be kept with each person committed. Appropriation of surplus.12. Superintendent to report monthly.13. Deficiencies, how supplied.14. Officers not to be interested in contracts.15. Term of commitments.16. Writ of habeas corpus.17. Managers may rent suitable buildings temporarily. |
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1. There shall be established a house of correction and employment for the city of Philadelphia, which house of correction shall be under the charge and management of a board of managers, to be appointed as hereinafter designated.

2. The said house of correction shall be under the control and management of twelve managers, to be appointed on the third Monday in July next ensuing after the passage of this act, the said managers to be appointed as follows: viz. : four of said managers shall be appointed by the judges of the court at quarterly sessions of the peace of the city and county of Philadelphia, four by the judges of the district court of the city and county of Philadelphia, and four by the mayor and aldermen of the city of Philadelphia; the managers appointed to serve for the terms hereinafter provided for, without any pecuniary compensation for their services; the said managers shall, on the first Monday of the month succeeding their appointment, meet at four o'clock in the afternoon, at the county court-house, and elect a president and secretary, to serve for the ensuing year; and they shall also divide themselves into four classes of three members each, the first class of whom shall serve for one year, the second for two years, the third for three years, and the fourth for four years; and whenever a vacancy shall exist in said board, by death, resignation, or otherwise, the same shall be supplied by the court who appointed the individual who has caused the vacancy, or the mayor and aldermen, as the case may be; upon notice of such vacancy from the board of said managers; and that thereafter the said board of managers shall be a body politic, incorporate in law under the style and title of the Philadelphia House of Correction and Employment, and under that title shall have all the rights and also be subject to all the liabilities of corporations, and may make any by-laws they may deem expedient for their own government or the government of the said house.

rection and employment: *Provided*, The same shall not be inconsistent in the constitution and laws of the United States or of this commonwealth: *and provided further*, That not less than seven managers shall form a quorum.

3. As early as practicable after the appointment of the aforesaid managers, they shall prepare, or cause to be prepared, plans and estimates for the erection of suitable buildings on and within the farm land now occupied by the Blockley Almshouse and Blockley Alms-House, or any other site which the aforesaid managers, by and with the consent of the select and common councils of the city of Philadelphia, as consolidated and extended by the Act of February 2, 1844, may deem most appropriate or conducive to the interests of the said institution, and of the citizens generally; said site not to exceed fifty acres in extent: *Provided*, That the cost of the site and buildings shall not exceed one hundred thousand dollars.

4. So soon as the site, plans and estimates are approved, as aforesaid, the managers appointed under the last foregoing section, shall certify the same to the mayor and councils of the city of Philadelphia, and it shall be the duty of said councils to borrow, or cause to be borrowed upon loan, at a rate of interest not exceeding six per cent. per annum, redeemable after thirty-five years, a sufficient sum of money to defray the expenses of said site and buildings; and it shall be the duty of said city authorities to assess the amount necessary to pay the annual interest on said loan, and one per cent. per annum; and one per cent. shall form a sinking fund for the redemption of said loan; and the moneys thus raised, shall be known as the fund for the use of the house of correction and employment of the city of Philadelphia, and shall not be applied to any other purpose whatsoever, than such as hereinbefore designated.

5. As early as practicable hereafter, after a compliance with the requirements contained in the preceding section, the said managers shall proceed with the moneys procured as aforesaid, to purchase the site chosen as aforesaid, and erect and complete thereupon the necessary buildings, according to the plans approved as aforesaid, the title to the whole to be vested in the city of Philadelphia; and as soon as the said buildings shall be completed and ready for occupation, they shall be delivered by the said city councils into the custody and control of the board of managers as hereinbefore provided, by whom, at the earliest practicable time, the fact of such delivery shall be certified to the court of quarter sessions, and to the board of managers of the Blockley Almshouse; which court and managers respectively, shall thereafter commit to the said house of correction and employment, such able-bodied paupers and convicts as may have been committed, or sentenced to be confined in the county prison or Blockley alms-house, for a period of less than three months; and it shall be the duty of the said judges of the court of quarter sessions.

and inspectors of the Philadelphia county prison, to commit to the said house of correction and employment, all vagrants, habitual drunkards and disorderly persons, whom they may deem best to so confine; and it shall be the duty of the managers of the Blockley alms-house to transfer, within twenty-four hours after entrance into said alms-house, all able-bodied paupers, except such as may be necessary to employ in the service of said alms-house.

6. The managers of the house of correction, or any one of them, may commit thereto any and all persons who are willing to be so committed; the mayor of the city of Philadelphia, the inspectors of the county prison and all committing magistrates in the city and county of Philadelphia, and they are hereby authorized to commit to said house of correction and employment, for any period of time not less than three, nor more than twelve months, all or any person or persons who, under existing laws, are liable to be committed to places of confinement, who shall apply to them for such purpose; and all persons that may hereafter be convicted, according to the existing laws of this commonwealth, before the mayor, recorder or any alderman of the city of Philadelphia, as a vagrant or disorderly person, shall be sentenced to such confinement in the said house of correction and employment, for the term hereinafter mentioned, and to be fed, clothed and treated, in the manner hereinafter mentioned.

7. There shall be elected annually at the first stated meeting of the board of managers, or at any other time if required, a person who shall be known as the Superintendent of the Philadelphia House of Correction and Employment, who shall have the control and superintendence of the said house of correction and employment; shall hold office during the pleasure of the board of managers, and shall receive such compensation as they shall deem fit; the said board of managers shall employ such other officers, keepers and servants as may be necessary for the management of the institution, but no person shall be elected as keeper, assistant superintendent, who is not expert in some mechanical or agricultural pursuit.

8. Every person in the custody of the said board of managers, not disabled by sickness or casualty, shall be employed by the superintendent in quarrying stone, cultivating the ground, manufacturing such articles as may be needed for the prisons, alms-house or other public institutions of the State, and at such other labor as shall upon trial be found to be profitable to the institution and suitable to its proper discipline, and to the health and capacity of the inmates.

9. If any person committed to the said house of correction and employment according to law, shall refuse or neglect to perform the work assigned him or her, it shall be the duty of the superintendent to punish such person by close confinement on a diet of bread and water only, for such time as

deemed necessary, which refusal and punishment shall be forthwith reported to the managers, and shall by the secretary of the board be recorded in a book to be kept for that purpose; it shall be the duty of the physician of the institution to visit any person so confined for punishment at least once in each and every twenty-four hours, and he shall record in a book to be kept for that purpose, his opinion upon the health of the person confined; upon his opinion being given of said confinement acting injuriously thereon, the said confinement or diet shall be altered in such manner as he shall direct.

10. Any inmate of said institution who shall willfully break, destroy or injure any material, machinery, tool, property or thing belonging to the said institution, or shall escape therefrom, shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of record of the county of Philadelphia, may be punished by imprisonment and hard labor for not less than one month or more than one year.

11. It shall be the duty of the said superintendent to open an account in a book to be kept for the purpose, with each and every person committed to said institution, charging him or her with all the expenses incurred in the board and clothing, and crediting him or her a fair and reasonable compensation for labor performed by him or her; if at the expiration of the term of commitment of any person it shall appear that the proceeds of his or her labor are more than sufficient to defray the cost of board and maintenance, and the materials furnished to such person, together with five per cent. thereon, the balance, if any, shall be paid to him or her in money, but the board of inspectors may at any time during the confinement of any person, when it shall appear that the proceeds of his or her labor are more than sufficient to pay the costs and charges aforesaid, order the surplus, or any part thereof, to be paid over for the use and maintenance of his or her family.

12. The superintendent shall make a monthly requisition on the board of managers, for all articles which he shall deem necessary for the said institution, and such as shall be approved by them shall be purchased; the superintendent shall once in every month report to the board of managers the number of persons committed, discharged, sick, dead, or remaining in the institution, also the quantity and kind of labor performed; and the board of inspectors shall transmit annually to the legislature of the state, a condensed statement of the affairs of the institution.

13. For any deficiency in furnishing, keeping, and maintaining said house of correction and employment in conformity with the provisions of this act, the managers are authorized to apply to said city councils, for such sum or sums as shall be necessary; and if it shall appear that such application is reasonable, and that the accounts of said managers have been properly kept, the said city councils shall direct an order to be drawn on the treasurer

of said city, for such sum or sums as by them may be deemed necessary proper.

14. The said managers, superintendent and officers of said house of correction and employment, shall be subject to all the restrictions, liabilities and penalties of the 51st section of the act supplementary to the act to incorporate the city of Philadelphia, passed the 2d day of February, 1854.

15. Every person committed to the house of correction and employment of the city of Philadelphia, shall for the first time be committed for a term of not less than three months, nor more than six months; for the second time shall be committed for a term of not less than six months, nor more than nine months; for the third time for a term of not less than nine, nor more than twelve months; and for the fourth time, or at any time thereafter, for a term of not more nor less than twelve months.

17. Any person committed to the said house of correction and employment, by any other authority than the Court of Quarter Sessions of the city and county of Philadelphia, may apply for a writ of *habeas corpus* to any judge of the said court, and upon return thereof, if such judge shall deem there is sufficient or reasonable ground for granting the same, he shall enter upon a rehearing of the evidence, and either discharge the individual, modify, or confirm the commitment.

17. Should said managers deem it advisable, it shall be lawful for them to rent, lease, or otherwise contract for the use and occupancy of any suitable building or buildings, to be occupied in the manner and for the purposes of this bill defined, and continue to use and occupy the same until such time as the building hereby authorized to be erected, shall have been completed and ready for occupancy as aforesaid: *Provided*, That the appointment of managers, and the organization of this institution, shall not take place until after the second Monday in July, A. D., 1854.

